

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or Agent's file reference 2002P06371WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE 03/02578	International filing date (day/month/year) 31.07.2003	Priority date (day/month/year) 22.08.2002
International Patent Classification (IPC) or national classification and IPC G06F9/445		
Applicant SIEMENS AKTIENGESELLSCHAFT et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets including this title page.

This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Instruction 607 of Administrative Instructions of the PCT).

These annexes consist of a total of 7 sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement according to Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 25.02.2004	Date of completion of this report 13.09.2004
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International application No. PCT/DE 03/02578

I. Basis of the report

1. This report has been drawn up on the basis of the following elements (*the replacement sheets received by the receiving office in response to an invitation according to Article 14 are considered in the present report as "originally filed" and are not annexed to the report as they contain no amendments (Rules 70.16 and 70.17).*):

**Description, pages:**

1-4, 8-14 as originally filed

5-7, 7a received on 23.08.2004 with the letter of 19.08.2004

**Claims, No.:**

1-8 received on 23.08.2004 with the letter of 19.08.2004

**Drawings, sheets:**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

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5.  This report has been written disregarding (some of) the amendments, which were considered as going beyond the description of the invention, as filed, as is indicated below (Rule 70.2(c)):

*(All replacement sheets comprising amendments of this nature should be indicated in point 1 and attached to this report).*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	1-8
	No:	Claims	
Inventive Step (IA)	Yes:	Claims	1-8
	No:	Claims	
Industrial Applicability (IA)	Yes:	Claims	1-8
	No:	Claims	

2. Citations and explanations

**see separate sheet**

**Re Section V**

**1 Prior art/Problems**

The invention relates to a method for providing resources in a communication network. The document **EP-A-0 964 334** discloses a method for finding and for using resources in computer networks which involve sending search programs which are put on to computers for execution and search these computers for characteristics which are a requirement for execution of particular software. If the computers provide these requirements, the software is transferred to the computer, which means that the computer from that point on provides the resource formed by the software.

A drawback of this method is that resources are distributed evenly regardless of their actual use in the network. Furthermore, the method works "offline" and therefore needs to be repeated at regular intervals in order to distribute new software or new versions, which respectively results in significant network loading.

**2 Object**

It is therefore an object of the present invention to optimize a method for providing resources such that it can be carried out in the course of operation and such that the resources are provided in the network on the basis of their actual use.

**3 Solution/advantages**

This is achieved by checking, during the use of a resource on a first communication component by a second communication component, whether this second communication component can also provide this resource itself. If the result of the check is positive, the transfer of the software to the second communication component from the first communication component is initiated and the resource is provided on the second communication component. In this way, the resources required are automatically distributed in the network in the course of operation. In this case, frequently used resources are copied frequently and are provided increasingly in the network. Free capacities in the network are thus automatically identified and utilized.

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#### 4 Conclusions

The subject matter of **claim 1** therefore meets the requirements of the PCT with regard to novelty and inventive step (Article 33(2) and (3) PCT). **Claims 2 to 8** are dependent on claim 1 and are therefore likewise novel and inventive. The subject matters of claims 1 to 8 are obviously also commercially applicable (Article 33(4) PCT).